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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,497	11/07/2001	Zvi Slovin	233-94	6308
23117 7590 04/16/2007 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER NGO, NGUYEN HOANG	
			ART UNIT	PAPER NUMBER
			2616	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/857,497

Applicant(s)

SLOVIN, ZVI

Examiner

Nguyen Ngo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This communication is in response to the special amendment of 1/22/2007.

Accordingly, Claims 1-5 are currently pending in the application.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tonnby et al. (US 6295293), hereinafter referred to as Tonnby.

Regarding claim 1, 2, 3, 4, 5, Tonnby discloses a system comprising;

a data network (internet 3 of figure 5)/PSTN gateway unit (telephony server 9 of figure 6);

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at least one data line (seen in figure 6);

at least one base station (IP access node 24 of figure 6) connected to the gateway (telephony server 9 of figure 6) unit via a respectively corresponding one of said at least one data line (col4 line 65-col5 line 4);

a multiplicity of subscriber units (IP network terminals (28 IPNT of figure 6)) communicating with the base station (IP access node 24 of figure 6), each subscriber unit (IPNT of figure 3) comprising at least one interface to a plurality of hosts including at least one telephone host (telephone interface 17 of figure 3) and at least one other non-telephone host (PC interface, col5 lines 1-10), each subscriber unit comprising:

an analog converter operative to translate incoming information in IP packet format into analog voice representation and to feed said analog voice representation to the telephone host (col7 lines 20-31), and to receive incoming analog voice information from the telephone host, to translate said incoming analog voice information into IP packet formatted information and to feed said IP packet formatted information to the base station (speech from the telephone in the outgoing direction is subjected to an A/D conversion in the NT where the NT will packetize the digital speech, and provide the IP packets to the IP access node, col7 lines 54-60); and

a packet switcher operative to perform packet switching on IP packets arriving from the base station (IP access node 24 of figure 6) connected to the subscriber unit (IPNT 28 of figure 6), including routing IP packets for hosts other than the telephone host to those hosts and routing IP packets for the telephone host to the analog converter (incoming IP traffic to the PC or any other device connected to the network

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terminal IPNT, where the IPNT examines the external IP address and forwards (switcher) the IP packets to their corresponding interface such as the PC interface, col7 lines 35-42));

wherein said base station is operative to perform packet switching on incoming IP packets based on an IP destination address included in each said incoming IP packet (the IP packets are received by the IP access server which examines their destination and then is properly routed, col7 lines 58-64 and col6 lines 51-59); and

wherein said gateway unit (telephony server 9 of figure 4) is operative to switch incoming data packets onto the data network (internet 3 of figure 4), to translate incoming voice packets from IP packet format into analog voice representation and to switch said analog voice representation onto the PSTN (the IP packets are received by the IP access server which examines their destination and sends them to the telephony server where they are depacketized and subjected to an D/A conversion. The result is an analogue voice signal that is sent to PSTN on the proper channel, col7 lines 58-64).

? Tonnby however fails to specifically disclose the limitation of communicating wirelessly. Tonnby however discloses of cordless telephony (col13 lines 40-42) thus providing the motivation to communicating wirelessly so that users may have more freedom and roaming capabilities. Menard further discloses of a telephone to packet adapter comprising an analog to digital and digital to analog full duplex similar to the IPNT of Tonnby and further states that the telephone to packet adapters may be designed to operate in a wireless local loop (col7 lines 60-65). It would have thus been

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obvious to a person skilled in the art at the time the invention was made to incorporate the concept of an wireless network terminal as disclosed by Menard into the network node which provides instant access to a multitude of communication services such as telephony and data services provided by Internet in order allow users/subscribers to roam freely in a network.

Response to Arguments

4. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Arnold et al. (US 5905719), Method And System For Wireless Internet Access.

b) Kubler et al. (US 5726984), Hierarchical Data Collection Network Supporting Packetized Voice Communications Among Wireless Terminals and Telephones.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nguyen Ngo whose telephone number is (571) 272-8398. The examiner can normally be reached on Monday-Friday 7am - 3:30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7493. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N.N.

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7/12/07

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